

**JULY 27, 2010 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER, 101 C STREET,
WHEATLAND, CA
6:00 – 6:45 p.m.**

COUNCIL MEMBERS PRESENT: D. Coe, E. Elphick, L. McIntosh, R. West
J. Pendergraph - Absent

OTHER OFFICIALS PRESENT: S. Wright, City Manager
R. Miller, Administrative Services Director
T. Raney, Community Development Director
P. Bryan, Interim Fire Chief

PLEDGE OF ALLEGIANCE:

Council member David Coe led the pledge of allegiance.

PUBLIC COMMENT

T. Prior commented on the City's mandatory trash ordinance.

B. Bartholomew provided Council members with pictures of signs throughout the City and commented on the sign ordinance.

CONSENT CALENDAR

It was moved by Council member D. Coe, seconded by R. West to approve ***minutes from the regular meeting on July 13, 2010 and Resolution No. 15-10 Authorizing the Filing of a Transportation Development Act Claim for Fiscal Year 2010/2011**. Vote called – AYES: All. Motion carried.

*Council member L. McIntosh abstained on the vote due to her absence from that meeting.

PUBLIC HEARING

T. Raney presented discussion of sign permit fees. Raney stated that in 2007, the Wheatland City Council approved the City of Wheatland Sign Ordinance, which authorizes and regulates the use of signs in order to; encourage a desirable urban character consistent with the general plan; preserve and improve the appearance of the city as a place to live, work and visit; eliminate confusing, distracting or dangerous sign displays that interfere with vehicular traffic; promote commerce; provide for fair and equal treatment of sign users; promote ease of sign ordinance administration; provide for eventual elimination of nonconforming signs on a fair and equitable basis. Section 19.30.020 of the Sign Ordinance states that any person applying for a sign permit shall, at the time of filing application, pay to the City a fee to cover processing, plan-checking, inspection and issuance of the permit in an amount as established by resolution of the City Council. It is appropriate that the City establish a fee program to cover its actual costs in processing a sign permit application. Otherwise, these costs are borne, not by the applicant, but by the entire City through its General Fund. Wheatland Municipal Code section 19.309.030 exempts certain signs from requiring sign permits, and therefore, would not be subject to fees. These signs include exempt signs, a-frame signs, and window signs. Exempt signs include nameplates, bulletin boards, construction project signs, memorial signs, traffic or other governmental and public safety signs, and garage sale signs. The City's Sign Ordinance requires permits for

temporary signs. Temporary signs include any sign, banner, flag, balloon, pennant, balance or display including logos, graphics, advertising, information or message, constructed of cloth, canvas, light fabric, cardboard, wallboard, paper or other non-permanent materials, with or without frames, typically portable in nature, and intended to be displayed for a short period of time only. Municipal Code section 19.55.030 states that the fee for a temporary sign permit shall be a nominal filing fee not to exceed \$15. The Sign Ordinance also requires that a building or grouping of buildings containing six or more businesses, offices or other uses (commonly understood to be a shopping center or business park) submit and have a master sign program approved by the Planning Commission. The current process for sign permits involves the applicant submitting an application at City Hall with intake, distribution and processing by City staff. The application is distributed to planning and building staff who review for consistency with City codes. Comments are returned to City Hall staff who issue a sign permit. Once installed, the sign is inspected by building staff. A Master Sign Program additionally requires approval of the Planning Commission and the proposed fee is proposed to be the same as the current Design Review application fee. City staff has evaluated the average amount of time to perform the tasks described above for a typical sign permit application (not including a Master Sign Program application). Based on this evaluation, staff determined that the average sign permit application requires the following; approximately one hour of City Hall staff time for the intake, distribution, processing and issuance of the Sign Permit application; approximately one half hour or planning staff of one half hour for projects not part of a Master Sign Program and 15 minutes for those that are consistent with a Master Sign Program; building staff time of one half hour for plan-check and an hour for inspection. Because the Sign Ordinance includes setback requirements from right-of-ways, the fees do not assume any time for the City Engineer. The current hourly wage cost (including benefits) of the staff involved in these tasks was applied to the average time per sign permit application. This calculation resulted in the proposed fee amounts. The temporary sign permit calculation generated a higher amount, but the proposed fee is set at \$15 because of the cap in the sign ordinance. These fees assume that the individual sign application is consistent with the Sign Ordinance, Master Sign Program, and Building Code. Signs which are not consistent and require additional staff time may be billed at actual cost based on the City's actual cost fee/billing policy in accordance with City Resolution No. 01-07, as amended. The Temporary Sign fee is based upon the fee outlined in the Wheatland Sign Ordinance. The temporary sign permit processing tasks apply to each temporary sign or grouping of temporary signs; therefore, the \$15 will be paid for each grouping of temporary signs. For example, political signs (a type of temporary sign) need only submit one sign application for all the proposed signs and indicate the intent to comply with the Sign Ordinance. For a Master Sign Program application, the fee will be based on the City's actual cost fee/billing policy in accordance with City Resolution No. 01-07, as amended.

Public Comment

- J. Bartholomew presented council members with a list of her objections to the Resolution.
- B. Bartholomew presented council members with a list of his objections to the Resolution.
- D. Coe stated the City went through the sign ordinance process which was long and involved with multiple public hearings and initiated in response to requests from the community and added comments from tonight's meeting would have been more appropriate during the formation of the sign ordinance.
- W. Harrison commented on the public hearing process for the sign ordinance.
- L. McIntosh stated the sign ordinance is very difficult to understand.

It was moved by Council member D. Coe, seconded by R. West to approve **Resolution No. 16-10 Establishing a Schedule of Fees Relating to Sign Permits**. Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

- 1) S. Wright presented discussion of authorization to award the Wheatland Road Rehabilitation Project. Wright explained the project scope includes repairing roadway base failures, grinding existing pavement,

pavement reinforcing fabric, a 2-inch hot mix asphalt (HMA) overlay, raising existing surface utility features to grade, new pavement markings and other various items of work. The RSTP funding designated for the project is \$51,000 and a local match of \$6,608.00 is required. Also, staff very recently discovered that LTF funding from SACOG for FY09/10 in the amount of \$55,000 had not yet been claimed by the City. Furthermore, the City will be receiving \$45,000 in LTF funds for FY10/11 (consistent with the adopted budget). Therefore, staff is recommending that \$30,000 FY09/10 LTF funds be allocated to the Project to allow for paving of the parking lane on the south side of the Project (this was originally removed from the Project to meet budget constraints) and to extend the overlay 150-ft to the west. Staff processed the project through the federal environmental and project approval process and on May 26, 2009, Council approved the project and authorized staff to bid the project upon receipt of federal approval to do so. The Federal Highway Administration has issued the City an authorization to proceed to advertise for bids and construct the project. The bid package included alternate packages of work to allow flexibility to adjust the Project scope to meet the budget. The low bid received was from JD Pasquetti in the amount of \$47,205.00 for the base bid and \$18,019.00 for the two recommended additive alternates for a total contract amount of \$65,224.00. Staff has reviewed JD Pasquetti's bid and has determined that, with regard to the requirements set forth in the bidding documents, the bid submitted is responsive and that JD Pasquetti is a responsible bidder. Bids came in approximately 2.8% below the engineer's estimate and therefore Staff is recommending that Council award the base project plus additive alternates #1 and #5. Staff is also recommending that Council authorize the City Manager to execute contract change orders for unforeseen conditions during construction and additions to the project up to the project budget. The project budget also contains allowances for contract administration, construction inspection and materials testing. The overlay of the parking lane on the south side of Wheatland Road would be added back into the project by change order once the construction contract has been executed.

It was moved by Council member R. West, seconded by D. Coe to **adopt Res. No. 17-10 authorizing the Mayor or City Manager to sign a Program Supplement Agreement with the State for the Federal funds for the Wheatland Road Rehabilitation Project ("Project"); authorize the City Manager and Administrative Services Director to allocate \$30,000 of FY09/10 LTF (TDA) funds to the Project; authorize the City Manager to enter into a construction contract with JD Pasquetti, Inc. and to execute change orders up to the budget amount for the Project.** Vote called – AYES: All. Motion carried.

REPORTS

D. Coe reported on the RWMA meeting and discussion of the program to dispose of prescription waste.

ADJOURN

There being no further business, Mayor Elphick adjourned the meeting 6:45 p.m.

Minutes approve and adopted this 10th day of August, 2010.

Enita Elphick, *Mayor*

Lisa J. Thomason, *City Clerk*